

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
January 6, 2008
Tribal Court Room 7500 Odawa Circle

Closed Session: none

Call to Order: Meeting was called to order at: 9:36 a.m.

Opening Ceremony: Beatrice A. Law

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Melvin L. Kiogima, Councilor Fred Harrington, Jr., Councilor Marvin Mulholland, Councilor Shirley Oldman

Absent: none

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik

Guests: Harvey Gibson, Dean W. Samuels, John Kawegoma, Heidi Bosma, Shane McNamara, Rita Shananaquet, Dorothy Boda, Mr. and Mrs. Bruce G. Parry, Chief Executive Officer and Michael W. Devine, Chief Operating Officer of Northwestern Band of the Shoshone Nation

Motion made by Councilor Oldman and supported by Councilor Yellowbank to adopt the Agenda for January 6, 2008 as amended.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Kiogima to approve the Minutes of December 16, 2007 as presented.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent

Motion carried.

Tribal Elder Comments: Harvey Gibson spoke regarding the Elder's program budget cuts and Grant funding for 2008.

10:53 a.m. Recess called.

11:02 a.m. Meeting Reconvened.

Motion made by Councilor Kiogima and supported by Councilor Oldman to approve the Tribal Council Public Hearing Policy for General Rules of Conduct.

Vote: 8 - Yes, 1 – No (Councilor Mulholland), 0 - Abstained, 0 - Absent

Motion carried.

Motion made by Councilor Harrington and supported by Councilor McNamara to place Waganakising Odawak Statute Tribal Council Pay shall be Frozen until Sinking Funds are Current and Able to Pay Tribal Debt Funded with Bonds on the Legislative Calendar.

Vote: 4 - Yes, 5 - No (Councilor Mulholland, Treasurer Chingwa, Legislative Leader Law, Councilor Yellowbank, Councilor Oldman), 0 - Abstained, 0 - Absent
Motion failed.

Motion made by Councilor McNamara and supported by Councilor Yellowbank to place on the Legislative Calendar Waganakising Odawak Statute Burial Program.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

11:45 a.m. Public Comment opened: Heidi Bosma-Child Welfare Commission/Tribal Citizen regarding letter submitted to Tribal Council about the Commission, John Kawegoma Tribal Citizen spoke regarding the Public Hearing and choices parents as employees make for their children, Dean W. Samuels spoke regarding honesty at Public Hearings.

12:06 p.m. Public Comment closed.

12:06 p.m. Lunch Recess called until 1:30 p.m.

1:48 p.m. Meeting reconvened.

Motion made by Councilor Yellowbank and supported by Councilor Mulholland to approve the letter of intent for the proposed joint venture with Little Traverse Bay Bands of Odawa Indians and NWB Technology, LLC - Arrangement with Northwestern Band of Shoshone Nation Economic Development Corporation and authorize the Tribal Chairman to sign.

Vote: 9 - Yes, 0 - No, 0 - Abstained, 0 - Absent
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Harrington to pass Waganakising Odawak Statute Administrative Procedures Statute.

Roll Call Vote: Councilor Harrington-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-no, Secretary Gasco Bentley-yes
Legislative Leader Law-no

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Oldman to pass Waganakising Odawak Statute Land and Reservation.

Roll Call Vote: Councilor Harrington-yes, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes
Legislative Leader Law-yes

Motion carried.

Councilor Harrington departs at 2:59 pm.

Motion made by Councilor Kiogima and supported by Councilor Mulholland to table the Notary Public Draft Statute to the next Tribal Council agenda.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington)

Motion carried.

3:40 p.m. Public Comment opened: no comments.

3:41 p.m. Public Comment closed.

3:42 p.m. Recess called.

3:51 p.m. Meeting reconvened.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to approve the contract for employment for Legislative Services Attorney Donna L. Budnick dated March 5, 2009 in the base pay amount of \$101,500.00.

Vote: 6 - Yes, 2 – No (Councilor Oldman, Councilor McNamara), 0 - Abstained, 1- Absent (Councilor Harrington)

Motion carried.

Motion made by Councilor McNamara and supported by Secretary Gasco Bentley to adopt Tribal Resolution Authorization to Terminate Health Park Medical Office Condominium.

Roll Call Vote: Councilor Harrington-absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes
Legislative Leader Law-yes

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Oldman to adopt Tribal Resolution Request for Funding from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Mental Health Services, Little Traverse Bay Bands of Odawa Indians Tribal Youth Suicide Prevention Grant.

Roll Call Vote: Councilor Harrington-absent, Councilor Kiogima-yes, Councilor McNamara -yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes
Legislative Leader Law-yes

Motion carried.

Motion made by Councilor Oldman and supported by Councilor Yellowbank to adopt Tribal Resolution Request for Funding from the Office of Justice Programs, United States Department of Justice, Bureau of Justice Assistance, Little Traverse Bay Bands of Odawa Indians Fiscal Year 2008 Adult Drug Court Implementation Grant.

Roll Call Vote: Councilor Harrington-absent, Councilor Kiogima-yes, Councilor McNamara -yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor

Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes
Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Kiogima and supported by Councilor Oldman to adopt Tribal Resolution to Request for Funding from the U.S. Department of Justice, Office on Violence Against Women: FY 2008, Grants to Indian Tribal Governments Program.

Roll Call Vote: Councilor Harrington-absent, Councilor Kiogima-yes, Councilor McNamara -yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes
Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Oldman and supported by Councilor McNamara to adopt Tribal Resolution Request for Funding from the U.S Department of the Interior, National Park Service, Native American Graves Protection and Repatriation Act Program (NAGPRA) Little Traverse Bay Bands of Odawa Indians Fiscal Year 2008 Repatriation Grant.

Roll Call Vote: Councilor Harrington-absent, Councilor Kiogima-yes, Councilor McNamara -yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes
Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Oldman to adopt Tribal Resolution Request for Funding from the U.S. Department of Health and Human Services, Administration on Aging (AoA), Title VI of the Older Americans Act, Part A – Grants for Native Americans Little Traverse Bay Bands of Odawa Indians Elders' Program.

Roll Call Vote: Councilor Harrington-absent, Councilor Kiogima-yes, Councilor McNamara -yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes
Legislative Leader Law-yes
Motion carried.

Motion made by Councilor Oldman and supported by Councilor Kiogima to adopt Tribal Resolution Approval of Middle Village Park Management Committee Budget for FY 2008.

Roll Call Vote: Councilor Harrington-absent, Councilor Kiogima-yes, Councilor McNamara -yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes
Legislative Leader Law-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Councilor Oldman to approve Enrollment List A – Eligible for Citizenship dated December 18, 2007 for a total of 1.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)
Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Kiogima to approve the Gaming Board of Directors FY 2008 Budget in the amount of \$196,000.00.

Vote: 5 - Yes, 1 – No (Councilor McNamara), 2 – Abstained (Councilor Yellowbank, Councilor Oldman), 1 – Absent (Councilor Harrington)
Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Mulholland to adopt Tribal Resolution Authorization to Enter into Settlement Agreement in Litigation Involving Gaming Compact Payment Obligation and to Execute Compact Amendment.

Roll Call Vote: Councilor Harrington-absent, Councilor Kiogima-yes, Councilor McNamara -yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes
Legislative Leader Law-yes
Motion carried.

Motion made by Councilor McNamara and supported by Councilor Kiogima to accept the Legislative Leader written and verbal report with confidential information contained therein.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)
Motion carried.

Motion made by Councilor Oldman and supported by Councilor McNamara to accept the Tribal Secretary's verbal report.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)
Motion carried.

Motion made by Councilor McNamara and supported by Secretary Gasco Bentley to accept the Tribal Treasurer's verbal report presented by Treasurer Chingwa the Chairman of the Appropriations and Finance Committee.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)
Motion carried.

Motion made by Councilor McNamara and supported by Treasurer Chingwa to accept Councilor Oldman's verbal report.

Vote: 6 - Yes, 0 - No, 0 - Abstained, 2 – Absent (Councilor Harrington, Secretary Gasco Bentley)
Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Oldman to accept the Legislative Services Attorney Donna Budnick's verbal and written report.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)
Motion carried.

Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley to approve Tribal Council attendance at the Midwest Alliance of Sovereign Tribes and National Congress of American Indians meetings in Washington DC in March 2008.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

Motion carried.

Motion made by Councilor Oldman and supported by Councilor Kiogima to allocate \$2,500.00 from the Legislative Budget for an Economic Development work session to be held on February 15, 2008 that includes expenses for speaker's travel and fees, facility costs, refreshments and approve attendance for Tribal Council.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

Motion carried.

5:56 p.m. Motion made by Treasurer Chingwa and supported by Councilor Oldman to adjourn.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 – Absent (Councilor Harrington)

Motion carried.

These Minutes have been read and approved as written:

Approved:

Regina Gasco Bentley, Tribal Council Secretary

Date